

ONLY ONE P. S. COMMISSION

ONE OF THE REFORMS DEMOCRATS HAVE IN VIEW.

William C. Osborn May Be Gov. Dix's Legal Adviser—Chas. E. Treman Considered for Public Works—Huppuch Considers Murphy—Onondaga Decision.

The sub-committee of the Democratic State committee which heard testimony yesterday on the Democratic nomination for Governor announced a decision that it had selected William H. Kelly of Syracuse to be State Commissioner in place of William F. Huppuch.

Chairman Huppuch of the State committee had a long talk with Charles F. Murphy at Delmonico's yesterday. Mr. Murphy has established headquarters at Delmonico's, where he has a suite of rooms used for the discussion of Democratic affairs with State committee members and others interested. After he leaves the Wigwam in Fourteenth street he rushes the day at Delmonico's, and it is there that the parcelling out of the Democratic patronage for all departments at Albany outside of those under the immediate supervision of Governor-elect Dix is going on.

Most of the Democrats with whom Mr. Murphy talked yesterday continued to say that he had no favorite for the United States Senatorship, but whispers began to be heard to the effect that the rivalry between Edward M. Sheppard of Brooklyn and William F. Sheehan of New York county is daily becoming more pronounced, and that in the end the Democratic legislators in joint caucus assembled may be steered in the direction of Supreme Court Justice James W. Gerard.

The Democrats who have talked with Mr. Murphy on the subject of the State committee are chiefly his personal friends, and most of them favored Justice Gerard on the ground that the Democrats of New York city had never rejoined in a Democratic United States Senator. Francis D. Kernan hailed from Fort. David B. Hill from Albany and Edward Murphy, Jr. from Troy. Both Mr. Sheppard and Mr. Sheehan are New York city Democrats, but when the intimates of Mr. Murphy speak of a New York city Democrat they mean a Tammany Democrat. Mr. Sheehan originally hailed from Buffalo and Mr. Sheppard is a Kings county Democrat. The organization, meaning Tammany, is looked upon as behind Justice Gerard.

Concerning Governor-elect Dix's appointment of a legal adviser and a Superintendent of Public Works, it was learned after Chairman Huppuch had his talk with Mr. Murphy that the Governor-elect among other Democrats is considering for legal adviser William Church Osborn of Garrison, and among other Democrats for Superintendent of Public Works he is giving more or less attention to the availability of Charles E. Treman of Ithaca. Both are members of the executive committee of the Democratic State committee.

Up to the present time no doubt of the selection of Senator Thomas F. Grady as leader of the majority in the upper house at Albany and of Assemblyman Daniel D. Frisbie of Schoharie to be speaker has arisen. Some discussion has been heard over the name of Dr. Robert P. Bush of Chemung, who was speaker in 1902, but he is looked upon as a little too old, although a very keen man. Senator Grady and Assemblyman Frisbie are already conferring with Democratic Senators and Assemblymen as to the chairmanships of the various committees.

While nothing definite has been decided concerning legislation affecting the Public Service Commissions, it is stated that Governor-elect Dix is inclined to believe that two commissions, one for New York city and one for up State, are one too many, and Democrats who have discussed this matter believe that in New York State will have but one commission, of which Herbert P. Bissell of Buffalo may be the head, with a saving of a million or two a year. It is further stated that Governor-elect Dix is to appoint a business man to head the Public, Fish and Game Commission, and that a practical business man, eventually to head the Banking Department and the Insurance Department, although Democrats said they hoped for legislation putting insurance affairs in the hands of a commission to be made up of three members, two of whom shall belong to the dominant party.

The Democrats have a great deal to say concerning the Attorney-General's office at Albany, and it is their opinion that this office should furnish the counsel for all the departments and commissions of the State, and that the employment of several counsel should cease.

The subject of a personal registration for the entire State came in for considerable comment yesterday. This requires a constitutional amendment, but it is urged that practically personal registration can be obtained by supervisory methods. The Democrats have received complaints from their up-State brethren that under the present law there is nothing to prevent Jim Smith or Jack Robinson from voting in one town in Jefferson county and trotting over five miles to another town in the same county to vote or even going into another town.

A number of Republicans have said that the Democratic party cannot successfully run the offices of the Senate clerk and the Assembly clerk. In those offices are Republican employees who have been there for many years. The Democrats say they will certainly try to provide an efficient staff of clerks and all other employees in those two offices, and that if the Democratic successors of the present freeholders know what to do they can run them.

Chairman Huppuch and Mr. Murphy discussed patronage. Mr. Huppuch had brought down with him a list of non-party service places in the various departments at Albany, which in part is as follows:

State Department of Agriculture—Unclassified. A Pearson, commissioner, \$5,000; exempt, assistant commissioner, George J. Flinders, \$2,000; confidential clerk, John J. Connelley, \$1,000; confidential clerk, Margaret C. Knoll, director agricultural

UNIONISTS GAIN A LITTLE

WALDORF ASTOR WINS A SEAT FOR THEM IN PLYMOUTH.

O'Brien and Healy Score a Signal Victory Over Redmond and Roche in Cork—British Federalism Looking Up—Blow for Lloyd George in Wales.

Special Cable Despatches to THE SUN.

LONDON, Dec. 7.—The most interesting and at the same time the most highly important election announcement to-day was the result of the polling in Cork city yesterday. The authorities in their discretion deemed it unwise to publish the result last night, thinking it better to allow the news to reach the heated partisans in calmer moments. Consequently it was not until this afternoon that the vote was announced.

It showed that William O'Brien and Maurice Healy, Independent Nationalists, were elected by a combined majority of 1,164 over William Redmond and Augustine Roche. The successful candidates had the support of every serious element. Mr. Healy's seat for Northwest Cork will be filled by Moreton Frewen without a contest to-morrow. He will be returned as a "Federal" to support with O'Brien the home rule solution advocated by Earl Grey and responsible Irishmen as distinguished from the "last link of Nationalism." The O'Brienites are rendered more hopeful than ever by this victory. They know they have powerful support in England.

The Earl of Minto, after five years anxious service as Viceroy of India will arrive here next week, and he has promised to support the Federal movement in Scotland with all the influence he possesses. Lord Milner also advocates it, as do Lord Kintore, Lord Jersey and many others who have been educated by the administration of the federated democratic of the empire.

At Plymouth Waldorf Astor, son of William Waldorf Astor, and his colleague, Mr. Benn, ousted the two sitting Liberals, Messrs. Mailet and Williams. The former is Financial Secretary of the War Office. Mr. Astor was chosen as the prospective Unionist candidate in Plymouth in 1908, but he was beaten in his first attempt to win the seat in January, 1910. To-day he heads the poll with a larger vote than Mr. Mailet received on that occasion. Mr. Mailet is the first member of the Government to fall in the present election.

The victory in Cardiff of Lord N. E. Crichton-Stuart, brother of the Marquis of Bute, who captured the seat from its holder, D. A. Thomas, is particularly gratifying to the Unionists, who claim it is a serious rebuff to Lloyd George, who is regarded as something of a deity throughout Wales. He recently stumped Cardiff on behalf of Thomas, but his efforts did not avail.

Admiral Lord Charles Boscawen again heads the poll in Portsmouth, but he polled 1,052 fewer votes than in January. On the whole the polls were again devoid of sensation to-day. Diminished total votes as compared with those of January were still the order of the day. Still there is a distinct advantage in the aggregate vote of the Unionists over the Liberals, but the Labor and Nationalist votes continue to support the coalition majority of the Government. The Unionists were distinctly depressed to-day. They really feared further losses, but the results gave them a net gain of three as compared with a net loss of one last night.

In East London the influence of the campaigning of Lloyd George, the Chancellor of the Exchequer, was well shown in the Labor gain in Bow and the Liberal gain in Stepney, but the Unionists scored a gain in Newton, Lancashire, which is always regarded as the most important county in England in a political sense. The Unionists also scored two wins in Plymouth and one in another important industrial center, Cardiff.

London has now finished voting. It returns 31 Unionists, 27 Liberals and 4 Laborites, showing a gain of one Liberal and two Laborites. The total vote polled was: Unionists, 269,688; Liberals, 214,081; Laborites, 30,378; Socialists, 882; and Suffragettes, 22.

The fight for suffrage remains a ding-dong, inch by inch tussle. Both the great parties are trying to improve their position by even so little in the next House. Last night the Liberals entertained the hope that they would gain twenty seats before the end of the elections. The Unionists had small hopes of improving their position and had begun to think the result would fall somewhat short, but to-day's results restored them to a more level footing. The Unionists still hope to maintain their position, but they no longer hope to improve it.

Cork, Dec. 7.—The result of the election for two members of Parliament from Cork city was announced to-day. William O'Brien and Maurice Healy, Independent Nationalists, are elected by a combined majority of 1,164 over William Redmond and Augustine Roche. Healy thus wins a seat from Roche for the Independent Nationalists.

The Nationalists made a strong fight against O'Brien and placed William Redmond, their strongest candidate in the field against him. Each faction had a member in the last Parliament from this city.

This was the first poll in Ireland, and there was great interest in the result. The election was held yesterday, but it was considered unsafe to declare the result last night because of the tense feeling on both sides. There was a great display of police around the polling places, and in some cases as many as forty constables guarded the approaches to the booths in order that voters might enter the polls without being assaulted.

Attorney Gets \$95,000 From Verkes Estate.

CHICAGO, Dec. 7.—Judge Cutting in the Probate Court this morning handed down a decision in which he allowed Attorney Clarence A. Knight \$95,000 for services while counsel for the Charles T. Verkes estate and for Louis S. Gussley, executor, Grayville W. Browning recommended that Mr. Knight get \$250,000.

Judge Cutting held that for protecting certain securities of the estate Knight was entitled to \$50,000 and for services to the executor in the Probate Court and in other matters \$45,000.

MR. ROSSITER GRAVELLY ILL.

Family of New York Central Vice-President Called to His Bedside.

E. V. W. Rossiter, vice-president of the New York Central and Hudson River Railroad Company and for many years financial adviser to the road, is critically ill at his home in Sanford avenue, Flushing. He is suffering from an acute attack of liver trouble and on the advice of Dr. Walter E. James of Manhattan and Dr. William M. Stone of Flushing his family has been summoned to his bedside.

For nearly half a year Mr. Rossiter has been in poor health, but has been away from active business only two weeks. It was said at his home last night that although Mr. Rossiter's condition is grave no immediate alarm is felt. Mr. Rossiter entered the employ of the road as a clerk. For the last twenty years he has been the confidential financial adviser to the Vanderbilt interests.

He was born in St. Louis in 1841 and started railroad work as clerk in the treasurer's department in 1860. He became treasurer of the Hudson River Railroad on the retirement of C. C. Clarke in 1883. After the consolidation of the Hudson River line with the New York Central in 1900 Mr. Rossiter became one of the five vice-presidents—financial vice-president he was called—and still holds that office. In May last he went to Europe with A. H. Harris in the interests of the railroad. It was hoped the trip would benefit his health, and on his return it was said that he was better, but recently he was again prostrated.

At Mr. Rossiter's bedside are his wife, Mrs. Stella Hewitt Rossiter, his four sons and his daughter, Mrs. Charles E. Titus.

PARALLEL LINES, PLEASE.

Justice Goff's Rule Enforced Against Wilkes W. A. Brady.

William A. Brady, the theatrical manager, appeared before Supreme Court Justice Goff yesterday as plaintiff in a suit against the New York Taxicab Company for \$15,000 damages for personal injuries without previous notice from his counsel that Justice Goff does not permit a witness to stand or even a lounge in the court room to sit with his legs crossed.

The first thing Mr. Brady did as he took the witness stand was to cross his legs. A court officer notified the infraction of Justice Goff's rule of court etiquette and was just stepping over to caution Mr. Brady when Justice Goff spoke. "To Mr. Brady. The act of uncrossing his legs caused Mr. Brady to drop somewhat in his seat, and Justice Goff himself leaned over and whispered something to the effect that Mr. Brady to redress and straighten up."

Mr. Brady testified that he was run down by a taxicab while crossing Eighth avenue at Forty-sixth street on October 19, 1908. His left shoulder was dislocated and he was laid up for several months in the height of the theatrical season. He hasn't been able to raise his left hand to his mouth since, he said.

The theatrical manager said that just before he was struck he was standing in the curb listening to a Socialist speaker. He declared that the taxi was going fifteen miles an hour.

The defense contends that Brady was negligent in not looking out when he crossed the street, but admits that the taxi was going fifteen miles an hour, because there was a strike on at the time and the man in the cab was a driver who had been struck on the head with a brick and was being rushed to St. Vincent's Hospital for treatment. The case was not concluded.

CURFEW TO RING AGAIN.

Harlem Doesn't Feel Comfortable Without Its Bell.

Harlem's silver toned curfew bell that has been rung for more than three years is again to get into action as soon as Park Commissioner Stover can get the ringing apparatus from the Dock Department. The bell is in a tower on top of the hill in Mount Morris Park. It has been there since the days of the old volunteer fire department and was at first used to give warning of fires. A watchman was on duty in the tower and rang the bell when he saw a blaze.

When the modern fire alarm system was adopted the fire bell of no further use. But the residents near by had grown so accustomed to its ringing at 9 o'clock in the morning for school children, at noon for workmen to take dinner and at 9 o'clock at night for curfew that they induced the Fire Commissioner to keep up the custom. It was interrupted several times and finally in 1907 Fire Commissioner Lantry ordered the ringing stopped, as the tower had become insecure.

Harlemites got after Commissioner Stover and he has made arrangements to strengthen the tower and obtain an apparatus to ring the bell automatically at the old hours of 9, 12 and 9 o'clock.

Housewives used to set their clocks by the old bell and old residents say there is music in its tones.

WRIGHTS SEE FOR RECEIPTS.

Injunction Against Distributing Proceeds of Belmont Park Aviation Meet.

The Wright Aviation Company is suing the management of the recent Belmont Park aviation meet for gate receipts and yesterday secured a temporary injunction from Justice Seabury in Part II. Special Term of the Supreme Court, to restrain the Aero Corporation, Limited, from paying out or distributing or disbursing any further sums of the proceeds of the aviation meet, or from in any manner interfering therewith until the hearing and decision of this suit.

In the charges the Wright company asserts that the Aero corporation has failed to keep its agreement regarding the gate receipt profits and that the Wright company has not received the percentage that was to have been allowed above a certain sum. Damages for \$15,000 is asked.

FINGER NAIL BETRAYED HIM

DON WHO GOT \$31,000 JEWELS IN MUNICH IS NABBED HERE.

Detectives Take Him in Subway on Description—Find \$10,000 Worth of the Loot in His Room—He Bluffed a Court Jeweller and Gave Him Check.

Detectives Ditch and Unger of Headquarters arrested yesterday Cirilo José de Elorduy, who is wanted in Munich on a charge of obtaining jewels valued at 142,500 marks (\$34,000) from a court jeweller by means of a forged check. The jewels were taken September 10, and on September 12 Inspector Russell received a six page cablegram from the Munich police describing the man wanted and the offence.

The two detectives learned that he was in New York and about where to look for him. Yesterday afternoon as they were going up town on a subway local Ditch noticed a man preparing to get off at Times Square. The man wore a long gray ulster and as he left his seat he bundled it around him and turned up the collar.

"That's our man, I'll bet," said Ditch. "he's a Mexican and he doesn't care for this climate." The detectives got a look at his face as he passed them. They followed him. When he put on his gloves and they saw that a finger nail on the left hand was missing they were certain he was their man and arrested him.

They went with him to his room at 234 West Eighty-fifth street and searched it. They recovered about \$10,000 worth of the jewelry. Then they took their prisoner to Headquarters and locked him up. Apparently he was undisturbed by his arrest. Inspector Russell showed him the enormous pink circular which the German police had sent describing him.

"Yes, I am the one," he said in imperfect English. "But I am an American citizen. I have a wife and child living in San Francisco." He said that he was born in Mexico and was an engineer, though he sometimes worked as a waiter. He had been in New York for about three weeks, he said, having gone from Germany to Havana, from there to Mexico and from there to New York.

The Munich police in their many long messages to the New York police described the method used by De Elorduy. He was in Munich as a wealthy planter from Mexico. Always he was dressed in the height of fashion. Ordinarily he wore a frock coat and a high hat, but occasionally he relaxed to the extent of a stiff black felt hat, a blue serge suit and white spats. He was accompanied by a man whom he introduced as his secretary.

The two became acquainted with an artist in Munich and told him that if there was a reliable jeweller of his acquaintance, one for whom the artist himself could vouch, they might put a good bit of business in his way. By good luck the artist was a friend of one Otto Koch of Frankfurt on Main, a court jeweller. The Mexican planter and his secretary listened to the artist's eulogium of the worthy Koch and finally consented to grant him an audience in the Bayerischerhof, a hotel in Munich.

They looked over his wares carefully at first and the jeweller was impelled to bring forward his best to dazzle these gentlemen from across the water. After much consideration Don Cirilo picked out a diamond rivière set with thirty-eight white stones in platinum settings, which the jeweller valued at 125,000 marks, a scarf pin set with a pink pearl valued at 8,000 marks, another with a white pearl at 9,000, and a woman's diamond ring valued at 3,000. These, said the Mexican, suited him fairly well, probably as well as any dealer in Europe could suit him, for he was a most fastidious man about his jewelry.

The jeweller bowed himself out after receiving a check on the Bank of Wiesbaden for the amount due. When the check came back marked no funds the Mexican planter and his secretary were not to be found. In Cirilo's room the detectives found yesterday a check book of the bank on which the check was said to have been drawn.

COMPLAINTS OF HYLAN.

Magistrate Says Charges Are False—Board Orders Investigation.

Chief City Magistrate Otto Kemper of Brooklyn appointed a committee at an open meeting of the Board of Magistrates yesterday afternoon to investigate charges contained in two letters which concerned the acts of Magistrate John F. Hyland. Magistrate Hyland objected to the reading of the letters and told Chief Magistrate Kemper that he would be held responsible because the allegations were false, but Magistrate Kemper directed the clerk to read them.

One letter, from John J. A. Rodgers, a lawyer, at 806 Broadway, Brooklyn, recited that Rodgers was counsel for a man named Schlitz who had been arrested on a charge of abandonment made by his wife. Rodgers alleged that Magistrate Hyland invited Mrs. Schlitz to his private office and later held Schlitz under bonds.

A letter from one Englander complained that when Magistrate Hyland was sitting at Coney Island Mrs. Englander, who runs a boarding house, had a boarder arrested for disorderly conduct. Englander complained that when the case came before Magistrate Hyland the Magistrate abused Mrs. Englander, ordered the boarder to make a complaint against her, found her guilty of disorderly conduct and suspended sentence.

Chief Magistrate Kemper appointed a committee consisting of Magistrates Dooley, Dodd, O'Reilly, Harris and himself to investigate.

Open Air Classroom for Consumptive Children.

Renwick, Aspinwall & Tucker, architects for the city of New York, have filed plans for building an open air room and a diet kitchen on the roof of the two-story public baths and gymnasium in the rear of Hudson Park on the north side of Carmine street at a cost of \$6,000. This room is to be used for not more than fifty children inclined to tuberculosis as an open air classroom.

SAY VIA "D. & N." to the agent when buying trips to Montreal, Quebec and visiting towns daily with through train. Oldest route New York to Montreal.

PERUVIAN TROOPS MASSACRED.

Surprised by Bolivian Soldiers on the Border—Outbreak of War Feared.

Special Cable Despatches to THE SUN. LIMA, Peru, Dec. 7.—A body of Bolivian troops has surprised and massacred the Peruvian garrison at Guayabal on the frontier.

Peruvian troops have been rushed to the scene. It is feared here that this outrage will lead to an open rupture between the two countries.

FOR ONE CENT POSTAGE.

Sheppard of Texas Proposes It in a Bill Introduced in the House.

WASHINGTON, Dec. 7.—A flat rate of one cent an ounce for first class mail matter is proposed by Representative Sheppard of Texas in a bill introduced in the House to-day. Members of Congress are much interested in reports that Postmaster-General Hitchcock thinks that the rate is now ripe to inaugurate the one cent rate and Mr. Sheppard decided to be the first in the field with a bill to carry the scheme into effect.

The rate of three cents for each half ounce, which was fixed by the law of 1879, was reduced to two cents a half ounce in 1883 and to the present rate of two cents an ounce in 1885. There has been no change since then.

Many Postmasters-General have discussed the possibility of the installation of the one cent rate, but the subject has apparently never been so seriously considered as at the present time.

Postmaster-General Hitchcock is understood to believe that certain economies in the service can be effected if it will be possible to adopt the one cent rate without fear of a great deficit.

TOURISTS STRANDED IN CEYLON.

Letters of Credit Cancelled; American Consul Helps—Trouble in India Too.

Special Cable Despatches to THE SUN. Colombo, Ceylon, Dec. 7.—Ceylon's tourist party were amazed to learn here the news of the cancellation of their letters of credit. Mr. Magalansen, the American Consul, is assisting to the best of his ability.

Another party of tourists is reported to be stranded in India.

BOOM TEARS A TENEMENT.

Eighteen Families Run for Cover as Door Lands in the Street.

A bomb exploded in the vestibule of an Italian tenement house at 307 East Forty-fifth street a little before midnight last night. The tenement is occupied by eighteen families, containing fifty persons, but no one was hurt.

The explosion sent a door into the street, blew off the top of the vestibule ceiling and tore a hole in the floor. All the Italians in the house jumped for cover. Men in a saloon at the corner were thrown to the floor amid a shower of bottles and glasses.

The tenement is managed by a German, William Eldert, who lives at 873 Second avenue. He and the janitor, Lawrence Volenti, say they have received no threatening letters.

KILLED BY FALLING ICICLE.

Mass Breaks From Side of Mine Shaft and Crushes Cages.

WILKESBARRE, Pa., Dec. 7.—A mass of ice which fell down the shaft of the Sicily mine at Old Forge to-day killed Jacob Rook and Adam Beisbocker, miners, besides badly damaging the shaft. The ice broke away from the side of the shaft and, falling 200 feet, struck the descending cage, smashed through the heavy iron of the protecting bonnet and dashed the men from the cage, which it wrecked.

The men fell 250 feet to the bottom of the shaft.

LEGION OF HONOR FOR WOMEN.

Nine Teachers in List of Nominations in Memory of Jules Ferry.

PARIS, Dec. 7.—Among the Legion of Honor decorations conferred in connection with the inauguration of the monument to the late Jules Ferry, the French statesman, the unprecedented number of nine were granted to women.

All the women recipients of the decoration are connected with teaching, as the monument celebrates M. Ferry's work for lay education.

COOKING CLASS POISONED.

Schoolgirls Get Potomines in Oysters They Had Prepared in School.

PROVIDENCE, Dec. 7.—Twenty-four girls, all members of the cooking class in the Technical High School, have been stricken with ptomaine poisoning after eating oysters that they had prepared. Fifty-two girls were in the two classes that took the culinary instruction, and acting on the idea that all had eaten of the oysters physicians who were called gave each girl an emetic.

The oysters had scarcely been eaten when the girls began to show signs of illness and Principal George F. Weston summoned Dr. R. H. Carver, who administered an emetic. It was late in the afternoon before some of them were able to leave for their homes.

Some of the oysters were sent to Prof. F. P. Gorham at Brown University for examination.

VALUE OF CROCKER ESTATE.

Court Fixes the Value of Shares at \$102.00, or a Total of \$6,917,844.

HOLD MRS. SHONT'S JEWELS

SHE DID NOT DECLARE \$15,000 WORTH BOUGHT IN PARIS.

Had Exchanged Duty Paid Jewelry Bought Here for the New Gauds and Thought She Could Bring Them in Free—They Were Not Seized.

Mrs. Theodore P. Shonts, wife of the president of the Interborough company, arrived yesterday by the crippled North German Lloyd liner Kaiser Wilhelm der Grosse and got into trouble for the second time in the last several years with the customs people. She had been visiting her daughter, the Duchess de Chaulnes, widow of the Duke, and her little grandson, Mrs. Shonts was met at the pier by her husband. She had not apparently paid much attention to the form of declaration printed in black for returning residents of the United States, which told her that she must "declare all wearing apparel, jewelry and other articles, whether used or unused, on their persons, in their clothing or in their baggage which have been obtained abroad by purchase or otherwise, with the foreign cost or value of the same."

She had in one of many trunks a jewel case containing what Deputy Surveyor John J. Racziewicz estimated to be jewelry valued abroad at about \$15,000. She made no mention of it in her declaration; also she made no effort to conceal it. Inspector Knapp, who discovered it in the trunk, immediately took it to Mr. Racziewicz. He questioned Mrs. Shonts, who said she had no intention of cheating the Government. Among the jewelry were one pearl necklace, one diamond necklace and a diamond pendant, all of which Mrs. Shonts said she had obtained from a jeweller in Paris. She said she supposed that the stuff was not dutiable because she had exchanged for it other jewelry that had paid duty here when originally imported or had been manufactured here.

Mr. Racziewicz asked for particulars and Mrs. Shonts said that she had taken from New York when she sailed hence to visit her daughter several months ago about \$30,000 worth of jewelry, which she had not registered at the Custom House before going abroad. She said that she had put this jewelry in the hands of the Parisian dealer and that he had credited it to her account. On duty and custom which has not been closed, she bought the jewelry that arrived with her yesterday.

Mr. Racziewicz decided that under the circumstances he would not be justified in seizing the jewelry, but that he would send it to the public stores. To-day Collector Loeb and Surveyor Henry will pass judgment on the matter.

Mr. Shonts said that in failing to declare the jewelry that was seized Mrs. Shonts was laboring under the assumption that since she had traded something for the articles upon which the duty had been paid she wouldn't have to pay duty on the articles she got in exchange.

"Some years ago I bought three strings of pearls of a wholesale firm in Maiden lane," said Mr. Shonts. "The largest string cost about \$18,000 and I gave it to my wife, while the two smaller strings I gave to my two daughters. They cost about \$30,000, I remember rightly."

"The large string and one of the smaller ones my wife exchanged in Paris. She didn't get the full value of the pearls in exchange, for the receipt she has shows that there is still a credit due her. Under these circumstances I think it only natural that she made the mistake she did, and one I think any layman might make, or at least that I might make myself under the same circumstances."

"I feel quite certain that the explanation will be satisfactory. When the man at the desk told me he thought he would have to keep the articles and refer the case I told him I preferred to have him do that rather than admit them under any question."

In January, 1907, the residence of Mr. Shonts was invaded by customs men under Collector Fowler, who in the absence of the family took note of everything. The Shontses had in the form of clothing and jewelry, including some presents from the Duc de Chaulnes, who married Miss Theodora Shonts a month later. Another examination, conducted with the consent of Mr. and Mrs. Shonts, revealed about \$15,000 worth of dutiable stuff that had not paid duty. The newspapers did not learn how the matter had been adjusted, but it is supposed that the duty was paid by Mr. Shonts.

NEW FAST FLIGHT RECORD.

Rene Barriar Makes 10 Miles Under 11 Minutes.

MEMPHIS, Tenn., Dec. 7.—Rene Barriar flew sixteen miles in 10 minutes 55.1 seconds to-day, establishing a new world's record for the distance.

Barriar's average height was 4,900 feet and his speed was at the rate of 87.93 miles an hour.

He won the Commercial Appeal's \$5,000 prize for a triangular flight from the tri-state fair grounds over this city to President's Island and return. He defeated John B. Mousant, who flew sixteen miles in his monoplane, passing over the city at a height of 6,500 feet.

CARRIED AN AMMONIA GUN.

Prisoner Suspected of Bank Note Theft Says He's Only a Chauffeur.

Detective Cain arrested on Tuesday night a man who said he was Edward A. Logsdon of 545 West Fifty-seventh street. The detective thought his prisoner looked like a photograph which had been sent to New York by the Traders Bank of Toronto of a man who had taken 4,000 \$5 notes, half signed, while they were in transit from the Government Printing Office to the bank. At Headquarters a charge of "suspicious person," suspected of being implicated in the larceny of bank notes, was made against him.

The prisoner protested that he was a chauffeur. By the time Cain got him to the Tombs court yesterday the charge had been changed to that of carrying concealed weapons. When he was arrested an ammonia pistol was found in his pocket. He told Magistrate Storer that he needed it when he was driving his cab during the strike. He was held for examination on Friday on the deadly weapon charge only.

OVER THREE HOURS QUICKEST

SCHEDULE TO FLORIDA EAST COAST

Reports in through electric light sleepers on New York Air Line 1:30 P. M. train from New York Station. Arr. 1:30 P. M. at Ft. St. John.

MAILED VANILLA CHOCOLATE

Have candy when traveling anywhere at any time. Flavored with the Mexican Vanilla Bean. Made in New York.

DEWEY'S SUPERIOR PORT WINE

The most strengthening wine we make. H. T. DEWEY & SONS CO., 139 Fulton St., N. Y.

GRASS BEAR SPRING WATER

The Purest Bear Spring Water. The Purest Bear Spring Water. The Purest Bear Spring Water.